

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF OREGON  
PORTLAND DIVISION

Anthony R. Hughes,

No. CV-07-1850-JE

Plaintiff,

ORDER

v.

MICHAEL J. ASTRUE, Commissioner,  
Social Security Administration,

Defendant.

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HERNANDEZ, District Judge:

Magistrate Judge Jelderks issued a Findings and Recommendation (# 54) on March 29, 2011, in which he recommends that this Court deny Plaintiff's motion to recover Equal Access to Justice Act attorney fees and costs (# 47). The matter is now before me pursuant to 28 U.S.C. § 636(b)(1)(B) and Federal Rule of Civil Procedure 72(b).

Because no objections to the Magistrate Judge's Findings and Recommendation were timely filed, I am relieved of my obligation to review the record *de novo*. United States v. Reyna-Tapia, 328 F.3d 1114, 1121 (9th Cir. 2003) (en banc); see also United States v. Bernhardt, 840 F.2d 1441, 1444 (9th Cir. 1988) (*de novo* review required only for portions of Magistrate Judge's report to which objections have been made). Having reviewed the legal principles *de novo*, I find no error.

#### CONCLUSION

The Court ADOPTS Magistrate Judge Jelderks' Findings and Recommendation (# 54). Accordingly, Plaintiff's motion to recover EAJA attorney fees and costs (# 47) is DENIED.

IT IS SO ORDERED.

DATED this 18th day of April, 2011.

/s/ Marco A. Hernandez  
MARCO A. HERNANDEZ  
United States District Judge